

MINUTES

Colorado State Board of Dental Examiners

OPEN - FULL SESSION

January 10, 2008 – 8:40 a.m.

1560 Broadway, 9th Floor Common Conference Room,
Denver, CO. 80202

I. CALL TO ORDER

MEMBERS PRESENT: F. Robert Murphy, DDS, Board Chairperson; Laura Jacob, RDH, Vice Chairperson; Jeffrey Astroth, DDS; G. Garo Chalian, DDS; Catherine Hakala, DDS; Joyce Reedy, RDH; Duane Takaki, DDS; Steven A. Tilliss, DDS, MS; Melanie Names, JD and Joseph Albi

MEMBERS ABSENT: Elizabeth Thompson, RDH and Brian Davidson, MD

STAFF PRESENT: Maulid Miskell, Program Director; Susan Machmer, Assistant Attorney General; Leanne Clasen, Program Assistant and Jessica Lehew, Administrative Assistant

II. MINUTES AND AGENDA

A motion was made, seconded and carried to **approve with additions** the **January 10, 2008 Full Board Agenda**.

III. PROFESSIONAL ASSOCIATIONS

ADA (American Dental Association) – E-mail dated December 21, 2007, from Louis Haglund regarding the ADA 2007 House of Delegates. **Board noted.**

ADA (American Dental Association) – Letter with attachments dated December 5, 2007, from Dr. Frank Maggio, Chair, regarding Unauthorized Use of the ADA Anesthesia Guidelines Documents. **A motion was made, seconded and carried to form a Sub-Committee of the Rules and Regulations Committee to review and make recommendations and then to submit their findings to the Rules and Regulations Committee for consideration on February 13, 2008.**

DOCS (Dental Organization for Conscious Sedation) – Letter with attachments dated October 12, 2007, from Dr. Michael D. Silverman, President, regarding Suggested Language for Dental Board Regulations Based on the Newly Adopted ADA Guidelines for Adult Enteral Sedation. **Board noted.**

AADE (American Association of Dental Examiners) – Letter with attachments dated November 19, 2007, from Dr. Garth Bobrowski, AADE President, regarding AADE Guidelines on Unprofessional Conduct Involving Sexual Boundary Violations. **Board noted.**

AADE (American Association of Dental Examiners) – 2008 AADE Mid-Year Meeting information. Maulid Miskell, Program Director, and Elizabeth Thompson, RDH, will be attending. **Board noted.**

ADHA – E-mail dated January 8, 2008, from Amparo Tang. **The Board's response to this inquiry: Yes, dental hygienists are allowed to perform brush bios in Colorado.**

CRDTS (Clinical Regional Exams) – 2008 Information Directory and Meeting Dates. **Board noted.**

CODA (Commission on Dental Accreditation) – Letter with attachment dated October 30, 2007, from Anthony J. Zieber, DDS, MS, Director, regarding Commission on Dental discussion to withdraw accreditation of the DA education

program offered by the Emily Griffith Opportunity School of Denver, CO. **Board noted.**

CODA (Commission on Dental Accreditation) – Minutes dated July 26, 2007 for the Commission on Dental Accreditation American Dental Association at the ADA Headquarters Building, Chicago. **Board noted.**

DANB (Dental Assisting National Board) – Report of Major Actions of the Board of Directors of the Dental Assisting National Board, Inc. discussed at its Annual Meeting dated August 2007. **Board noted.**

DANB (Dental Assisting National Board) – Memorandum with attachments dated December 27, 2007, regarding October 26, 2007 State Career Ladder Templates for Dental Assistants for 2008. **Board noted.**

WREB – Memorandum dated November 2, 2007, from Beth Cole, Executive Director. **Board noted.**

WREB – Letter dated December 7, 2007, from Paul G. Sims, DDS, Immediate Past President. **Board noted.**

IV. MISCELLANEOUS

COMPLIANCE MONITOR – Memorandum with attachments for PAS 1st Quarter Report dated December 21, 2007, from Abi Gaskins. A motion was made, seconded and carried to **accept this report.**

COMPLIANCE MONITOR – Memorandum with attachments for Clarification on Continuing Education Requirements dated December 21, 2007, from Abi Gaskins. A motion was made seconded and carried to **add the words “internet course” to policy 2.B., Continuing Education, Audio/Visual Credit.** A second motion was made, seconded and carried to **amend the language for the Continuing Education Requirements form from “and” to “or” to reflect policy 2.B.** A third motion was made, seconded and carried to **change the words in policy 2.B. from “Only 30% of the total continuing educational credits . . .” to “30% of each required area . . .”.**

COMPLIANCE MONITOR – Memorandum with attachments for Practice Monitor Compensation dated December 21, 2007, from Abi Gaskins. A motion was made, seconded and carried to **amend the language for the Sample Fee for Service Agreement form from “a fee of \$100 . . .” to “The Practice Monitor Task Force considers a reasonable negotiated fee . . .”.**

PEER ASSISTANCE SERVICES- Budget proposal for fiscal year 2008-2009. A motion was made, seconded and carried to **refer to a Sub-Committee.**

NITROUS APPLICATIONS – Memorandum with attachments dated December 27, 2007, from Jessica A. Lehew, Administrative Assistant. A motion was made, seconded and carried to **give administrative staff the authority to make the Nitrous forms consistent with one another.**

RULES & REGULATIONS – Rules and Regulations Regarding Exceptions and Board Review of Initial Decisions form. A motion was made, seconded and carried to **accept** this rule for consideration at a future rulemaking hearing.

PRACTICE MONITOR LIST UPDATE – Memorandum with attachments dated December 27, 2007, from Leanne Clasen, Program Assistant. A motion was made, seconded and carried to **remove** any licensee who has an expired license, has had previous discipline in any jurisdiction, has been summarily suspended or revoked from the Practice Monitor list.

PRACTICE MONITOR TRAINING – Practice Monitor Training Evaluation Summary dated November 16, 2007. **Board noted.**

CONSULTANT LIST UPDATE – Memorandum with attachments dated December 27, 2007, from Jessica A. Lehw, Administrative Assistant. A motion was made, seconded and carried to **remove** those who have discipline and/or have a lapsed license.

FULL BOARD/OPEN SESSION MEETING SCHEDULE – Revised schedule for meeting dates. **Board noted.**

JR & JANET BROCKMAN – E-mail dated December 7, 2007, from Janet Brockman regarding biofeedback. The Board's response: **Biofeedback is acceptable to use as long as it is used within the scope of dental practice.**

JAMEY WRIGHT – E-mail dated December 11, 2007, from Jamey Wright regarding rules for out-of-state consultants via telemedicine. The Board response to dentists working with out-of-state consultants via telemedicine or other means is that **as long as the consultant is working with a Colorado licensed dentist and not directly with the patient it would be acceptable.** A motion was made, seconded and carried to **create a policy.**

JIM KUJAR – E-mail dated November 7, 2007, from Jim Kuhar, DDS, regarding direct supervision according to Rule XVIII (D)(1). A motion was made, seconded and carried to **table** pending additional information.

ARTICLE – Suspension reversed until dentist charged with indecent assault is convicted. **Board noted.**

ARTICLE – Dental Board Member Expert Witnesses Raise Ethical Questions. **Board noted.**

RONALD D. DAURIO, DDS – Letter dated August 27, 2007, from Chanda Sue Holden. **Board noted.**

KEVIN L. EVANS, DDS CONSULTING, PC – Letter with attachments dated December 1, 2007, from Kevin Evans, DDS. A motion was made seconded and carried to **invite Dr. Evans to apply to become a Practice Monitor.**

KEVIN Z. DAWSON, DDS - Letter with attachments dated December 15, 2007, from Kevin Dawson, DDS. **Board noted.**

ANNUAL DESIGNATION OF BOARD MEETING NOTICES – E-mail dated December 17, 2007, from Angie Kinnaird Linn. A motion was made, seconded and carried to **accept** this notice.

RULE XXVI ADVERTISING – Correspondence regarding Rule XXVI Advertising. A motion was made, seconded and carried to **refer to the Rules and Regulations Committee.**

ROCHE HUDSON – E-mail dated January 4, 2008, from Roche Hudson. **The Practice Act does not address this issue. Not within the Board's purview.**

REIMBURSEMENT AND BUDGETARY REQUIREMENTS – Memorandum with attachments dated January 4, 2008, from Jacqueline Arcelin, Program Assistant. **Board noted.**

CHANGES IN HEALTHCARE PROFESSION SCOPE OF PRACTICE – Letter with attachments dated January 3, 2008, from Rosemary McCool, Director. **Board noted.**

ANNE L. HEAD – E-mail dated January 7, 2008, from Anne L. Head. The Board responded that **no, a study has not been done** for the impact in Colorado of allowing dental hygienists to practice independent of any kind of supervision by licensed dentists.

ALICIA G. LAMPRECHT, RDH – E-mail dated January 7, 2008, from Alicia G. Lamprecht, RDH. The Board responded that **no**, there are not any state or federal programs available to get a practice started in a rural area. **No**, there are not any programs available to help pay back student loans if practicing in a rural area.

POLICIES – Licensing and Administrative Policies. A motion was made, seconded and carried to **approve policy 3.D**. A second motion was made, seconded and carried to **approve as amended policy 1.CC**.

CHRIS MACRI, DDS – Thank you to the Board. **Board noted.**

UNIVERSITY OF COLORADO SCHOOL OF DENTISTRY – Dr. Jeffrey Astroth presented information regarding the closing of the Dental Hygiene Program. **The Board directed Laura Jacob, RDH, and Maulid Miskell, Program Director, to submit a letter to the school.**

G. Garo Chalian, DDS left at 11:29 a.m.

V. ADJOURNMENT: The January 10, 2008 Open – Full Session meeting of the Colorado State Board of Dental Examiners adjourned at 11:58 A.M. The next meeting will be conducted on April 23, 2008 at 1 P.M.

Signed by F. Robert Murphy, DDS

F. Robert Murphy, DDS
Board Chairperson

June 4, 2008

Date